

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**ARNCO TECHNOLOGY TRUST
LTD.,**

Plaintiff,

V.

POSTLE INDUSTRIES, INC.,

Defendant.

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Civil Action No.: 4:10-cv-01962

**ORDER GRANTING PLAINTIFF'S MOTION FOR CONTEMPT
AND FOR SANCTIONS**

Before the Court is the Motion for Contempt and For Sanctions ("Motion") filed by Plaintiff Arnco Technology Trust Ltd. ("Arnco"). After considering the briefing and arguments of counsel, the Court finds that the Motion should be **GRANTED**.

IT IS THEREFORE ORDERED that the Motion is in all things **GRANTED**.

IT IS FURTHER ORDERED that Postle Industries, Inc., John Postle, Leroy Billesberger and WeldCor Supplies, Inc. ("WeldCor") have violated the Court's Permanent Injunction issued on January 10, 2011, and therefore are held in civil contempt of court.

IT IS FURTHER ORDERED that Postle Industries, Inc. and John Postle collectively:

- (a) pay a fine of \$200,000.00 to Arnco (\$100,000.00 for each violation);
- (b) pay a fine of \$100,000.00 to Arnco as compensation for costs incurred to remediate the effects of the Disparaging Communications (as defined in the Motion);
- (c) pay Arnco's costs and attorney's fees associated with this enforcement action in the amount of \$ _____;
- (d) provide Arnco and the Court with sworn statements from each person who sent or received any of the Disparaging Communications, identifying the following:
- (e) the Disparaging Communication that was sent or received;
- (f) the person(s) who sent or received the Disparaging Communication; and

- (g) each person or entity to whom he/she sent the Disparaging Communication or website to which it was posted.
- (h) sign and send to all recipients of any Disparaging Communication a “Retraction Letter” drafted by Arnco;
- (i) prominently post the Retraction Letter on the Home Page of the following websites:
 - (1) www.postle.com
 - (2) http://hardbandingsolutions.com/postle/index_pi.php;
- (j) provide sworn statements to Arnco on January 15 and July 15 of every year affirming that Postle Industries, Inc. and John Postle have complied with the Permanent Injunction and not published or disseminated any communication mentioning Arnco or its products;
- (k) immediately forward to Arnco any communication that violates the Permanent Injunction; and
- (l) pay Arnco \$100,000.00 for each future violation of the Permanent Injunction.

IT IS FURTHER ORDERED that Leroy Billesberger and WeldCor collectively:

- (a) pay a fine of \$300,000.00 to Arnco (\$100,000.00 for each disparaging LinkedIn post authored by Leroy Billesberger);
- (b) pay a fine of \$100,000.00 to Arnco as compensation for costs incurred to remediate the effects of Leroy Billesberger’s disparaging posts;
- (c) pay Arnco’s costs and attorney’s fees associated with this enforcement action in the amount of \$ _____;
- (d) immediately provide Arnco and the Court with any statements disseminated by Leroy Billesberger and/or WeldCor between 2010 and the present that mention Arnco or its products, and for each such statement, identify each person or entity to whom he/she sent the statement or website to which it was posted;
- (e) sign and send to all recipients of any such statement the Retraction Letter, with a copy to Arnco;
- (f) prominently post the Retraction Letter on the Home Page of the following websites:
 - (1) <http://www.weldcor.ca/>
 - (2) <https://www.linkedin.com/in/leroy-billesberger-46989373/>
 - (3) any other website on which Billesberger posted any statement about Arnco or its products;

- (g) provide sworn statements to Arnco on January 15 and July 15 of every year affirming that Billesberger and WeldCor have complied with the Permanent Injunction and not published or disseminated any communication mentioning Arnco or its products;
- (h) immediately forward to Arnco any communication that violates the Permanent Injunction; and
- (i) pay Arnco \$100,000.00 for each future violation of the Permanent Injunction.

SIGNED this _____ day of _____, 2018

Hon. Lee H. Rosenthal

APPROVED:

JACKSON WALKER L.L.P.

/s/ Kathrine M. Silver

Kathrine M. Silver

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